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CLAIMS

What is claimed is:

1. A topical skin care composition comprising a safe and effective amount of:

a) [one or more active ingredients selected from the group consisting of wormwood, black walnut and niacin;] niacin, turmeric;

b) garlic and /or propolis;

c) wormwood and / or blackwalnut;

[b)] d) aloe vera or a dermatologically acceptable carrier;

[c] e) one or more active ingredients selected from the group consisting of [garlic, turmeric, propolis,] St. Johns wort, licorice, chamomile and herbal anti-bacterial agents. (currently amended)

2. A topical skin care composition according to claim 1, wherein said blackwalnut is further comprised of an extract derived from the species *Juglans nigra* or any plant from the genus *Juglans*, and constitutes [about 9% and] between 0.5%-90% by weight of total composition. (currently amended)

3. A topical skin care composition according to claim 1, wherein said wormwood is further comprised of an extract derived from the species *Artemisia Absinthium* or any plant from the genus *Artemisia*, and constitutes [about 9% and] between 0.5%-90% by weight of total composition. (currently amended)

4. A topical skin care composition according to claim 1, wherein said aloe vera or a dermatologically acceptable carrier constitutes [about 54% and] between 5-95 % by weight of total composition. (currently amended)

5. A topical skin care composition according to claim 1, wherein said turmeric is further comprised of an extract derived from the species *Curcuma Longa* or any plant from the genus *Curcuma*, and constitutes [about 7% and] between 0.5 % to 90 % by weight of total composition. (currently amended)

6. A topical skin care composition according to claim 1, wherein said licorice is further comprised of an extract derived from the species *Glycyrrhiza Glabra* or any plant from the genus *Glycyrrhiza*, and constitutes [about 3% and] between 0.5 to 25 % by weight of total composition.

7. A topical skin care composition according to claim 1, wherein said St. Johns wort is further comprised of an extract derived from the species *Hypericum perforatum* or any plant from the

genus *Hypericum*, and constitutes [about 3% and] between 0.5 to 25 % by weight of total composition. (currently amended)

8. A topical skin care composition according to claim 1, wherein said chamomile is further comprised of an extract derived from the species *Matricaria Chamomile* or any plant from the genus *Matricaria* or *Anthemis*, and constitutes [about 2% and] between 0.5 to 25 % by weight of total composition. (currently amended)

9. A topical skin care composition according to claim 1, wherein said garlic is further comprised of an extract derived from the species *Allium sativum* or any plant from the genus *Allium*, and constitutes [about 10% and] between 0.75 to 70 % by weight of total composition. (currently amended)

10. A topical skin care composition according to claim 1, wherein said garlic further embodies a physical form of one or more selected from the group consisting of macerated, minced, diced, dried, pulverized, powdered, deodorized and shredded. (original)

11. A topical skin care composition according to claim 1, wherein said propolis can be substituted for garlic and constitutes [about 10% and] between 0.75 to 70 % by weight of total composition. (currently amended)

12. A topical skin care composition according to claim 1, wherein said niacin is selected from the group consisting of niacinamide, nicotinic acid [and chemical derivatives of niacin] nicotinamide adenine dinucleotide, nicotinamide adenine dinucleotide phosphate, nicotinamide 1,N⁶-etheneoadenine dinucleotide, 1,N⁶-etheneoadenine dinucleotide phosphate, nicotinamide guanine dinucleotide, nicotinamide guanine dinucleotide phosphate, nicotinamide hypoxanthine dinucleotide, nicotinamide hypoxanthine dinucleotide phosphate, nicotinamide mononucleotide, nicotinic acid adenine dinucleotide and nicotinic acid adenosine dinucleotide phosphate constituting [about 1% and] between 0.02 to 5% by weight of total composition. (currently amended)

13. A topical skin care composition according to claim 1, wherein said herbal antibacterial agents are further comprised of extracts selected from the group consisting of clove, nutmeg, ginger, and myrrh, constituting [about 2% and] between 0.5 to 25% by weight of total composition. (currently amended)

14. A topical skin care composition according to claim 1, wherein said dermatologically acceptable carrier is further comprised of at least one selected from the group consisting of surfactants, binders, emulsifiers, bulking agents, starches, additives, diluents, stabilizers, preservatives, emollients, foaming agents, gels, sweeteners, thickeners, vehicles, coloring agents, fragrances, solvents, moisturizers, lubricants, deodorizers and buffers. (original)

15. A topical skin care composition according to claim 1, wherein said dermatologically acceptable carrier is in the form of at least one selected from the group consisting of a suspension, solution, dispersion, lotion, liquid, gel, stick, capsule, foam, cream, pack, paste, coated glove or sock, salve, spray, aerosol, ointment, sponge, gel cap, granule, medicated

bandage, medicated gauze, microparticles, nanospheres, microspheres, wipes, oil, powder and unique bio-delivery system. (original)

16. A topical skin care composition according to claim 1, wherein said dermatologically acceptable carrier is further comprised of at least one selected from a group consisting of purified water, lanolin, lanolin alcohols, alcohols, vitamins, methylparaben, ethylparaben, butylparaben, propylparaben, glycerin, vegetable oils, polysorbate, propylene glycol, para-aminobenzoic acid, mineral oil, carbomer, phospholipids, flour, starch, sorbitan laurate, carboxylic acids, triethanolamine, talc, titanium dioxide, antioxidants, gums, petrolatum, jojoba oil, isopropyl myristate, cetyl palmitate, sorbitan stearate, acids, base, cellulose, simethicone, butylated hydroxyanisole, butylated hydroxytoluene, glycol distearate, cetearyl alcohol, sorbitol, glyceryl stearate, cetearyl octanoate, dimethicone, wax, EDTA, sodium lauryl sulfate, glyceryl dilaurate, quartermium-15, calcium sulfate, calcium chloride, metal salts, gelatin, aloe vera and imidazolidinyl urea. (original)

17-21. (previously withdrawn)

22. A topical skin care composition according to claim 2, wherein said black walnut constitutes about 9% by weight of total composition. (new)

23. A topical skin care composition according to claim 3, wherein said wormwood constitutes about 9% by weight of total composition. (new)

24. A topical skin care composition according to claim 4, wherein said aloe vera or a dermatologically acceptable carrier constitutes about 54% by weight of total composition. (new)

25. A topical skin care composition according to claim 5, wherein said turmeric constitutes about 7% by weight of total composition. (new)

26. A topical skin care composition according to claim 6, wherein said licorice constitutes about 3% by weight of total composition. (new)

27. A topical skin care composition according to claim 7, wherein said St. Johns wort constitutes about 3% by weight of total composition. (new)

28. A topical skin care composition according to claim 8, wherein said chamomile constitutes about 2% by weight of total composition. (new)

29. A topical skin care composition according to claim 9, wherein said garlic constitutes about 10% by weight of total composition. (new)

30. A topical skin care composition according to claim 11, wherein said propolis constitutes about 10 % by weight. (new).

31. A topical skin care composition according to claim 12, wherein said niacin constitutes about 1% by weight of total composition. (new)

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32. A topical skin care composition according to claim 13, wherein said herbal antibacterial agents constitute about 2% by weight of total composition. (new)

SECTION 4: REMARKS

In this amendment, claim 1 includes the option of propolis or garlic. As mentioned in the specification, this is a replacement ingredient for garlic, due to some individuals who may have an allergic response to garlic – a primary ingredient. If this structure of the claim is further rejected by prior art – and propolis as a limiting factor for the rejection – we would then probably file a continuation and RCE and omit propolis from the application in whole. If the examiner has any questions or suggestions, please feel free to contact me at any time. @ 1-850-681-2143 or my email address is elizabethmazzio@yahoo.com.

Sincerely
E Mazzio